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5 Counsel for Defendant SOSA CORDERO

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 IN THE MATTER OF THE) No. CR 08-90417 MISC JCS
11 EXTRADITION OF ALFONSO)
12 SOSA CORDERO) DECLARATION OF DANIEL P.
13) BLANK IN SUPPORT OF MOTION
TO DISMISS

14 Daniel P. Blank states as follows:

15 1. I am an Assistant Federal Public Defender practicing in the Northern District of
16 California. I have been provisionally appointed to represent the defendant Mr. Alfonso Sosa Cordero
17 in the above-captioned matter. I am informed and believe that the following facts are true.

18 2. Mr. Sosa Cordero is a Mexican citizen who has lived predominantly in the United
19 States, specifically in the Bay Area, since approximately 1984. Mr. Sosa Cordero has lawful
20 immigration status here based upon a renewable 10-year business visa. Also living with him here are
21 his wife and his two U.S. citizen daughters. Lately, Mr. Sosa Cordero has spent on average
22 approximately 70 percent of each year at his home in San Rafael and approximately 30 percent of
23 each year in Mexico, often staying at his father's home in Mexico City. For example, in 2007 Mr.
24 Sosa Cordero visited Mexico several times in his capacity as trustee of the estate of his sister, who
25 died that year.

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DECLARATION OF DANIEL P. BLANK

Attachment A

FILED
AUG 20 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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SEALED BY ORDER OF COURT

8 Attorneys for Complainant United States of America

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 IN THE MATTER OF THE
13 EXTRADITION OF ALFONSO SOSA
14 CORDERO.

CR 08 No. 90 417 MISC JCS

COMPLAINT FOR PROVISIONAL
ARREST WITH A VIEW TOWARD
EXTRADITION (18 U.S.C. § 3184)

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16
17 I, the undersigned Assistant United States Attorney, being duly sworn, state on
18 information and belief that the following is true and correct:

19 1. In this matter, I act for and on behalf of the Government of Mexico ("requesting
20 state");

21 2. There is an extradition treaty in force between the United States and Mexico, 31
22 U.S.T. 5059, T.I.A.S. No. 9656, *available at* 1980 WL 309106, which entered into force on
23 January 25, 1980;

24 3. The extradition treaty between the United States and Mexico provides in Article
25 11 for the provisional arrest and detention of alleged fugitives pending the submission of a
26 formal request and supporting documents;

27 4. The Government of Mexico has asked the United States through diplomatic
28 channels for the arrest of ALFONSO SOSA CORDERO with a view toward his extradition. The

COMPLAINT FOR PROVISIONAL ARREST
RE: EXTRADITION

1 United States is treating Mexico's request as a request for a provisional arrest;

2 5. According to the information provided by the requesting state in the form
3 authorized by the extradition treaty, ALFONSO SOSA CORDERO is wanted in Mexico on an
4 arrest warrant issued on June 20, 2001 by the Trial Judge of the Judicial District of Tijuana, Baja
5 California, Mexico in criminal case number 309/2002. In that case, ALFONSO SOSA
6 CORDERO is charged with the attempted murder of David William Lohrey, in violation of
7 Articles 123 and 124 of the Penal Code of the State of Baja California. Murder is an extraditable
8 offense under Article 2, Paragraph 4, Appendix Item 1, of the Extradition Treaty between the
9 United States and Mexico.

10 6. Mexico's request for extradition is based on the following facts:

11 (1) On June 1, 2001, the David William Lohrey was walking down an alley
12 behind Sanborns restaurant in Tijuana, Mexico. Lohrey later told police
13 that he felt someone pull him from behind. Lohrey recognized that person
14 as SOSA CORDERO, whom he had had problems with in the past and
15 who had previously threatened to kill him. Lohrey told police that SOSA
16 CORDERO started beating him by punching Lohrey in the stomach and
17 saying "Now you are going to die you son of a fucking bitch, this time you
18 are not going to get away from me." Lohrey stated that he lost
19 consciousness as SOSA CORDERO choked him. Lohrey then woke up as
20 Francisco Ochoa Rangel, a man Lohrey had hired as his bodyguard, was
21 picking him up. Lohrey and Rangel sought assistance from police, but the
22 perpetrators fled the scene in a dark blue car that had a California license
23 plate on it.

24 (2) Authenticated medical records dated June 1, 2001 from the hospital that
25 treated Lohrey stated that he had non-life-threatening wounds that required
26 hospitalization.

27 (3) Francisco Ochoa Rangel told the police that he was Lohrey's bodyguard
28 the day that Lohrey was attacked. (Lohrey worked for Servicios de

Prevencon Profesional, S.A., a security service that Lohrey hired each time he came to Tijuana). Rangel was working for Lohrey when he drove him to Sanborns restaurant for a meeting with two other people. When Lohrey and Rangel were leaving the restaurant, Lohrey asked Rangel to go back inside the restaurant to retrieve Lohrey's cell phone, which Lohrey had left inside. When Rangel emerged from the restaurant, he saw a person strangling Lohrey and two other people beating someone else.

Rangel went to defend Lohrey, and the perpetrators fled in a dark blue car.

7. ALFONSO SOSA CORDERO is a Mexican citizen, born in 1955. He is believed to work at 1001 Bridgeway, Suite 449, in Sausalito, California.

WHEREFORE, the undersigned complainant requests that a warrant for the arrest of ALFONSO SOSA-CORDERO be issued in accordance with 18 U.S.C. § 3184 and the Extradition Treaty between the United States and Mexico; and that, if on such hearing, the Court deems the evidence sufficient under the provisions of the treaty to sustain the charge, that the Court certify the same to the Secretary of State in order that a warrant may be issued for the surrender of ALFONSO SOSA-CORDERO to the appropriate authorities of Mexico according to the stipulations of the treaty; and for such other actions as the Court at the time may be required to take under the provisions of the treaty and the laws of the United States.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

ALLISON MARSTON DANNER
Assistant United States Attorney

Sworn to before me and subscribed in my presence this 28th day of August, 2008, at San Francisco, California.

JOSEPH C. SPERO
United States Magistrate Judge